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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/786,527	03/05/2001	Norbert Lobjig	P010088	1420
26371	7590	04/14/2009		
FOLEY & LARDNER LLP 777 EAST WISCONSIN AVENUE MILWAUKEE, WI 53202-5306			EXAMINER	
			TANG, KAREN C	
			ART UNIT	PAPER NUMBER
			2451	
MAIL DATE	DELIVERY MODE			
04/14/2009	PAPER			

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte: NORBERT LOBIG*

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Application No. 09/786,527  
Technology Center 2400

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Mailed: April 14, 2009

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Before KRISTA ZELE *Deputy Chief Appeals Administrator*  
ZELE, *Deputy Chief Appeals Administrator.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on February 3, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention.

**EXAMINER'S CONSIDERATION OF REPLY BRIEF**

A Reply Brief was filed in this application on December 23, 2008. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 C.F.R. § 41.43(a)(1) and MPEP § 1208, part II.

**CONCLUSION**

Accordingly, it is ORDERED that the application is returned to the Examiner to:

- (1) consider the Reply Brief filed December 23, 2008, as indicated above; and
- (2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

KZ/BIM

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